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DOCKET NO. 2670.2002-000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

[ ] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NEUROLOGICAL SIGNAL CODING

the specification of which (check one)

[ ] is attached hereto.

[X] was filed on November 14, 2001 as United States Application

Number or PCT International Application No. 09/991,498

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

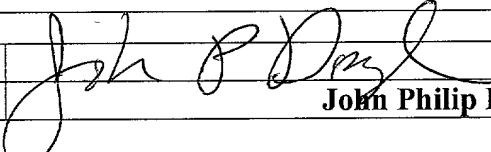
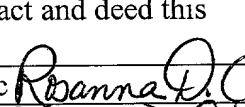
I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

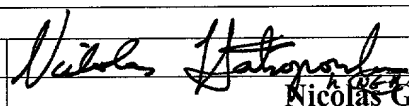
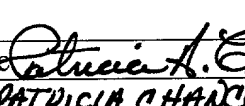
I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority</u> Not Claimed	<u>Certified</u> Copy Filed? YES NO
_____ (Number)      _____ (Country)      _____ (Day/Month/Year filed)	[ ]	[ ] [ ]
_____ (Number)      _____ (Country)      _____ (Day/Month/Year filed)	[ ]	[ ] [ ]
_____ (Number)      _____ (Country)      _____ (Day/Month/Year filed)	[ ]	[ ] [ ]

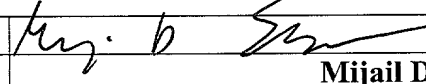
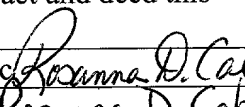
AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

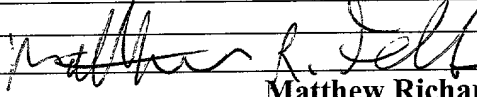
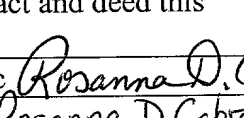
IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

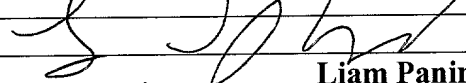
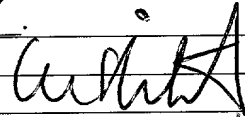
Inventor's Signature:		
	John Philip Donoghue	
State/Commonwealth of	Rhode Island	
County of	Providence	
Then personally appeared before me the above-named <b>John Philip Donoghue</b> and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this <u>22<sup>nd</sup></u> day of <u>March</u> , 20 <u>02</u> .		
(SEAL)		Notary Public 
		(print name) Rosanna D. Cabral
	My Commission expires <u>2 / 22 / 2003</u>	

Inventor's Signature:		
	Nicolas George Hatsopoulos	
State/Commonwealth of	ILLINOIS	
County of	COOK	
Then personally appeared before me the above-named <b>Nicolas George Hatsopoulos</b> and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this <u>23</u> day of <u>April</u> , 20 <u>02</u> .		
(SEAL)		Notary Public 
		(print name) PATRICIA CHANCELLOR
	My Commission expires <u>9 / 25 / 2002</u>	

**"OFFICIAL SEAL"**  
**Patricia A. Chancellor**  
**Notary Public, State of Illinois**  
**My Commission Expires 9-25-2002**

Inventor's Signature:		
	Mijail Demian Serruya	
State/Commonwealth of	Rhode Island	
County of	Providence	
Then personally appeared before me the above-named <b>Mijail Demian Serruya</b> and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this <u>22<sup>nd</sup></u> day of <u>March</u> , 20 <u>02</u> .		
(SEAL)		Notary Public 
		(print name) Rosanna D. Cabral
	My Commission expires <u>2 / 22 / 2003</u>	

Inventor's Signature:		
	Matthew Richard Fellows	
State/Commonwealth	of Rhode Island	
County of	Providence	
Then personally appeared before me the above-named <b>Matthew Richard Fellows</b> and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this <u>22<sup>nd</sup></u> day of <u>March</u> , 20 <u>02</u> .		
(SEAL)		Notary Public 
		(print name) Rosanna D. Cabral
	My Commission expires <u>2 / 22 / 2003</u>	

Inventor's Signature:		
	Liam Paninski	
State/Commonwealth	of New York	
County of	New York	
Then personally appeared before me the above-named <b>Liam Paninski</b> and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this <u>10</u> day of <u>April</u> , 20 <u>02</u> .		
(SEAL)		Notary Public
		(print name) WILLIAM S. MARBIT
	Notary Public, State of New York No. 31-4653555 Qualified in New York County Certificate Filed in New York County Commission Expires November 30, 20 <u>01</u>	
	My Commission expires <u>11 / 30 / 01</u>	

204739-8647668

STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.27(a))-NONPROFIT ORGANIZATION

DOCKET NUMBER: 2670.2002-000



Applicant or Patentee: John Philip Donoghue, Nicolas George Hatsopoulos, Mikail Demain Serruja and Mathew Richard Fellows

Application or Patent No.: 09/991,498

Filed or Issued: November 14, 2001

Title: NEUROLOGICAL SIGNAL DECODING

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Brown University Research Foundation

ADDRESS OF NONPROFIT ORGANIZATION Box 1949, 42 Charlesfield Street

Providence, Rhode Island 02912

TYPE OF NONPROFIT ORGANIZATION:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C.501(a) and 501(c)(3))  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF  
LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED  
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.27(a)(3) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

I hereby state that the rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person who would not qualify as a person under 37 CFR 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2) or a nonprofit organization under 37 CFR 1.27(a)(3).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2))

NAME OF PERSON SIGNING William M. Jackson

TITLE IN ORGANIZATION OF PERSON SIGNING President, Brown University Research Foundation

ADDRESS OF PERSON SIGNING 42 Charlesfield Street, Room 301, Providence, RI 02912

SIGNATURE William M. Jackson DATE 4/16/02